

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NETWORK APPS LLC, KYLE SCHEI,
and JOHN WANTZ

Plaintiffs,

-v.-

AT&T MOBILITY LLC and AT&T
SERVICES, INC.,

Defendants.

21 Civ. 718 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

On April 28, 2021, the Court held a conference in this matter to discuss, *inter alia*, several motions contemplated by Defendants. (Minute Entry for April 28, 2021). For the reasons discussed at the conference, the Court's view is that it must resolve Defendants' anticipated motion for disqualification of Plaintiffs' counsel before it addresses Defendants' other contemplated motions. As such, the Court will permit Defendants to proceed with their motion to disqualify Plaintiff's counsel. However, at this time, the Court is not authorizing any further discovery into the issue of disqualification, and it expects Defendants to tailor their motion arguments accordingly.

Given the Court's understanding that Defendants' review of the underlying materials is both an ongoing and involved process, the parties are ORDERED to adhere to the following briefing schedule: Defendants' opening papers are due on or before June 29, 2021; Plaintiffs' opposition papers are due on or before July 29, 2021; and Defendants' reply papers are due on or before August 12, 2021. The Court expects the parties to observe

the page limits and formatting preferences set forth in Rule 4.B. of its Individual Rules of Practice.

As Defendants have requested that certain information and documents be submitted *in camera*, the Court will accept such a submission with the understanding that if it disagrees with any of the Defendants' determinations, it may order them to file the materials in a redacted or unredacted format on the public docket. In particular, to the extent Defendants file a declaration or sworn statement listing or summarizing the materials submitted in their *in camera* submission, the Court would prefer that such a document be filed on the docket, to the extent possible. Defendants' *in camera* submission is to be filed contemporaneously with their opening papers.

SO ORDERED.

Dated: April 30, 2021
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge